



10-13-06

RCE IIV

PTO/SB/30 (09-04)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
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Application Number	10/699,198
Filing Date	October 31, 2003
First Named Inventor	Jose Carlos Garza-Davila et al.
Group Art Unit	1762
Examiner Name	David P. Turocy
Attorney Docket Number	120194-2020A (124809A) [formerly: 120426-2020A]

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under CFR 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on **10/16/2006 HDEMESS1 00000039 10699198**

ii. ☐ Other _____

01 FC:1801

790.00 OP

02 FC:1252

450.00 OP

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☒ Other A personal interview with the Examiner prior to the next official action is hereby formally requested, at a time to be agreed upon (with the intension of submitting a modified main claim to be considered in the next action).

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to
Deposit Account No. 50-0320.

b. ☒ Check in the amount of \$790.00 is enclosed for the following:

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) This is a Petition for a two-month extension of time.

A check for \$450.00 is enclosed.

iii. ☐ Other _____

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	October 12, 2006
Name (Print/Type)	A. Thomas S. Safford	Registration No.	21,002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: **Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Charles Safford	
Signature	Charles Safford	Date:	October 12, 2006
"Express Mail" mailing label number: EV845292566US			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.1 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the complete provisional application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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